

# Union Calendar No. 367

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5630

**[Report No. 111-627]**

To amend title 38, United States Code, to provide for qualifications for vocational rehabilitation counselors and vocational rehabilitation employment coordinators employed by the Department of Veterans Affairs.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 29, 2010

Mr. BOOZMAN introduced the following bill; which was referred to the  
Committee on Veterans' Affairs

SEPTEMBER 28, 2010

Committed to the Committee of the Whole House on the State of the Union  
and ordered to be printed

# **A BILL**

To amend title 38, United States Code, to provide for qualifications for vocational rehabilitation counselors and vocational rehabilitation employment coordinators employed by the Department of Veterans Affairs.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. QUALIFICATIONS FOR VOCATIONAL REHABILI-**  
4                   **TATION COUNSELORS AND VOCATIONAL RE-**  
5                   **HABILITATION   EMPLOYMENT   COORDINA-**  
6                   **TORS EMPLOYED BY THE DEPARTMENT OF**  
7                   **VETERANS AFFAIRS.**

8       (a) IN GENERAL.—Chapter 31 of title 38, United  
9       States Code, is amended by adding at the end the fol-  
10      lowing new section:

11     **“§ 3123. Qualifications for vocational rehabilitation**  
12                   **counselors and vocational rehabilitation**  
13                   **employment coordinators**

14       “(a) VOCATIONAL REHABILITATION COUNSELORS.—  
15      Each individual employed by the Department as a voca-  
16      tional rehabilitation counselor shall—

17               “(1) have completed a masters degree in voca-  
18              tional rehabilitation counseling before being so em-  
19              ployed;

20               “(2) by not later than five years after the indi-  
21              vidual is first so employed, obtain certification by an  
22              accredited certifying body recognized by the National  
23              Commission for Certifying Agencies; and

24               “(3) as a condition of continued employment,  
25              maintain such certification.

1       “(b) VOCATIONAL REHABILITATION EMPLOYMENT  
2 COORDINATORS.—Each individual employed by the De-  
3 partment as a vocational rehabilitation employment coor-  
4 dinator shall—

5               “(1) have completed a bachelors degree in the  
6 relevant field, as designated by the Secretary, before  
7 being so employed;

8               “(2) by not later than five years after the indi-  
9 vidual is first so employed, obtain certification by an  
10 accredited certifying body recognized by the National  
11 Commission for Certifying Agencies; and

12               “(3) as a condition of continued employment,  
13 maintain such certification.

14       “(c) REMEDIATION PLAN.—If an individual employed  
15 by the Department as a vocational rehabilitation counselor  
16 or a vocational rehabilitation employment coordinator fails  
17 to meet a condition of employment applicable to such indi-  
18 vidual under subsection (a) or (b), the Director of the Vo-  
19 cational Rehabilitation and Employment Service shall de-  
20 velop a remediation plan for such individual. If the indi-  
21 vidual fails to complete the remediation plan, such failure  
22 shall be cause for termination.”.

23       (b) CLERICAL AMENDMENT.—The table of sections  
24 at the beginning of such chapter is amended by adding  
25 at the end the following new item:

“3123. Qualifications for vocational rehabilitation counselors and vocational rehabilitation employment coordinators.”.

1       (c) APPLICABILITY.—

2           (1) INDIVIDUALS HIRED AFTER DATE OF EN-  
3       ACTMENT.—Section 3123 of title 38, United States  
4       Code, as added by subsection (a), shall apply with  
5       respect to an individual hired by the Department of  
6       Veterans Affairs after the date of the enactment of  
7       this Act.

8           (2) INDIVIDUALS HIRED BEFORE DATE OF EN-  
9       ACTMENT.—In the case of an individual hired as a  
10      vocational rehabilitation counselor or a vocational re-  
11      habilitation employment coordinator by the Depart-  
12      ment of Veterans Affairs before the date of the en-  
13      actment of this Act, such individual is required to  
14      have the qualifications described in section 3123 of  
15      title 38, United States Code, as added by subsection  
16      (a), for the position held by the individual by not  
17      later than five years after the date of the enactment  
18      of this Act.

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